

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA**

United States of America,)	
)	
Plaintiff,)	Case No. 3:24-cr-29
)	
vs.)	ORDER
)	
Anthony Maurice Washington,)	
)	
Defendant.)	

On May 29, 2024, the court found reasonable cause to believe Anthony Maurice Washington might be suffering from a mental disease or defect rendering him unable to understand the nature and consequences of the proceedings against him or to properly assist in his defense. The court therefore ordered Washington remanded to the custody of the Attorney General for a psychiatric or psychological examination. (Doc. 74).

Matthew R. Opresso, Psy.D., M.Ed., evaluated Washington and prepared a July 9, 2024 forensic evaluation report stating,

In my professional opinion, Mr. Washington is competent to stand trial. He does not appear to be suffering from a mental disease or defect that would render him unable to understand the nature and consequences of the proceedings against him or to assist in his own defense at the present time. During this evaluation, he demonstrated adequate factual and rational understanding of the legal proceedings before him and the ability to communicate with his attorney with a reasonable degree of rational understanding, should he choose to do so.

(Doc. 95, p. 8).

In accordance with 18 U.S.C. § 4247(d), the court held a hearing on August 15, 2024, at which Washington was present and represented by counsel. Washington was afforded an opportunity to testify, to present evidence, to subpoena witnesses on his behalf, and to confront and cross-examine witnesses who appeared at the hearing. The

United States presented Dr. Opresso's testimony, and Washington's counsel cross-examined Dr. Opresso. Dr. Opresso's hearing testimony was entirely consistent with opinions stated in his July 9, 2024 report. Washington presented no additional evidence and asked that the court adopt Dr. Opresso's findings.

By a preponderance of the evidence, the court finds Washington is competent to stand trial and has the ability to communicate with his attorney with a reasonable degree of rational understanding, should he choose to do so.

IT IS SO ORDERED.

Dated this 19th day of August, 2024.

/s/ Alice R. Senechal
Alice R. Senechal
United States Magistrate Judge